

106TH CONGRESS  
1ST SESSION

# S. 1738

To amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 15, 1999

Mr. JOHNSON (for himself, Mr. KERREY, Mr. GRASSLEY, and Mr. THOMAS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. PROHIBITION ON PACKERS OWNING, FEEDING,**  
4               **OR CONTROLLING LIVESTOCK.**

5       (a) IN GENERAL.—Section 202 of the Packers and  
6       Stockyards Act, 1921 (7 U.S.C. 192), is amended—

7               (1) by redesignating subsections (f) and (g) as  
8       subsections (g) and (h), respectively;

1           (2) by inserting after subsection (e) the fol-  
2       lowing:

3       “(f) Own, feed, or control livestock intended for  
4       slaughter (for more than 14 days prior to slaughter and  
5       acting through the packer or a person that directly or indi-  
6       rectly controls, or is controlled by or under common con-  
7       trol with, the packer), except that this subsection shall not  
8       apply to—

9           “(1) a cooperative, if a majority of the owner-  
10       ship interest in the cooperative is held by active co-  
11       operative members that—

12               “(A) own, feed, or control livestock; and

13               “(B) provide the livestock to the coopera-  
14       tive for slaughter; or

15           “(2) a packer that is owned or controlled by  
16       producers of a type of livestock, if during a calendar  
17       year the packer slaughters less than 2 percent of the  
18       head of that type of livestock slaughtered in the  
19       United States; or”; and

20       (3) in subsection (h) (as so redesignated), by  
21       striking “or (e)” and inserting “(e), or (f)”.

22       (b) EFFECTIVE DATE.—

23           (1) IN GENERAL.—Subject to paragraph (2),  
24       the amendments made by subsection (a) take effect  
25       on the date of enactment of this Act.

1           (2) TRANSITION RULES.—In the case of a pack-  
2       er that on the date of enactment of this Act owns,  
3       feeds, or controls livestock intended for slaughter in  
4       violation of section 202(f) of the Packers and Stock-  
5       yards Act, 1921 (as amended by subsection (a)), the  
6       amendments made by subsection (a) apply to the  
7       packer—

8           (A) in the case of a packer of swine, begin-  
9       ning on the date that is 18 months after the  
10      date of enactment of this Act; and

11          (B) in the case of a packer of any other  
12      type of livestock, beginning as soon as prac-  
13      ticable, but not later than 180 days, after the  
14      date of enactment of this Act, as determined by  
15      the Secretary of Agriculture.

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